UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,281	09/08/2003	Kia Silverbrook	BAL51US	7133

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AUSTRALIA

EXAMINER
WORKU, NEGUSSIE

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/656,281	SILVERBROOK, KIA
	Examiner	Art Unit
	Negussie Worku	2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 August 2003</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-8</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 August 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>See Attachment</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office action is in reply to application filed on 09/08/03, claims 1 through 8

are pending, and of which claims 1 and 8 are independent and claims 2-7 is dependent.

Priority

2.   Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-

(d), which papers have been placed of record in the file.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 09/08/03 has been

reviwed. The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter, which the applicant regards as his invention.

5.   Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Specifically, Claims 1 and 8 are rejected as failing to

set forth the subject matter, which applicant(s) regard as their invention. Evidence that

claims fail(s) to correspond in scope with that which applicant(s) regard as the invention.

In particular, with respect to "a feed mechanism for feeding a planer element on which a

printed" of claim 1 and 8, since various things could be thought of from the expression,

what is specifically done, and what is feed, what is a planer elements are unclear. As a

result, each claim cannot be understood.

        Therefore, the claimed subject matter of this application is unpatentable under

the provisions of 35 U.S.C. 112, second paragraph, and therefore, claims 1-8 are

rejected as best understood by examiner as set forth in the office action discussed

below, and also Claims 2-7 are rejected for being dependent on rejected claim 1.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

7.   Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Koide et al. (USP 6870566)

        With respect to claim 1, Koide et al. teaches an image processing apparatus (fig 1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines 42-47) the apparatus comprising an optical reader (image sensing unit 11 of fig 1); a feed mechanism (computer 12 of fig 1, input a processing element, could be such as processing parameters, luminance and color difference signal) for feeding a planar element on which a printed, two-dimensional pattern having a certain resolution is carried, to the reader, (scanner 11 of fig 1) the reader having a sensor (CCD sensor 102 of fig 1) with a resolution capacity of at least twice the resolution of the two-dimensional pattern and being configured to generate program data represented by the two-dimensional pattern in an external format, the data itself representing an image processing program (col.9, lines 42-47);

        a reader interface (interface I/f 109 of fig 1) that is connected to the reader (scanner 11 of fig 1) to receive the program data from the reader, the reader interface being configured to transform the program data to an internal forma (computer 12 of fig 1) suitable for processing (computer 12, connected to scanner 11, via interface 111, for further processing of image data inputted from image sensing unit 11 of fig 1); and

        a processor (12 of fig 1) that is connected to both the reader (scanner unit 11 of fig 1) and the reader interface (interface 109 of fig 1) to control operation of the reader

and the reader interface and to apply the image-processing program to the stored

image to generate an output image with desired effects (col.9, lines 42-47).

With respect to claim 2, Koide et al. teaches an image processing apparatus (fig 1)

for applying effects to a stored image, (computer 12 of fig 1, process image stored in

image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines

42-47), in which the reader (11 of fig 1) has a resolution capacity of at least three times

the resolution of the two-dimensional pattern.

With respect to claim 3, Koide et al. teaches an image processing apparatus (fig

1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in

image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines

42-47) 3, in which the reader interface (109 of fig 1) is configured to detect an area on

the planar element on which the two-dimensional pattern is carried, to detect a bit

pattern of the two-dimensional pattern and to write the bit pattern as a byte pattern.

With respect to claim 4, Koide et al. teaches an image processing apparatus (fig

1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in

image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines

42-47), in which the reader interface 11 of fig 1) is configured to descramble and XOR

the byte pattern (pixels generated by image sensor 102 of fig 1).

With respect to claim 5, Koide et al. teaches an image processing apparatus (fig 1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines 42-47), in which the reader interface (11 of fig 1) is configured to decode the byte pattern.

With respect to claim 6, Koide et al. teaches an image processing apparatus (fig 1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines 42-47), which includes a data storage device (105 of fig 1) that is operatively connected to the reader (CCD sensor 11 of fig 1) and the processor (12 of fig 1) so that the program, in its internal format, can be written to and stored in the data storage device (113 of fig 1).

With respect to claim 7, Koide et al. teaches an image processing apparatus (fig 1) for applying effects to a stored image, (computer 12 of fig 1, process image stored in image sensor FIFO memory 105 of fig 1, apply an effects to stored image, col.9, lines 42-47), in which the processor (computer 12 of fig 1) includes a VLIW processor that is connected to the reader interface (109 of fig 1) via a FIFO buffer (FIFO 105 of fig 1) so that the reader interface (109 of fig 1) can write data from the reader to the FIFO buffer (105 of fig 1) and the VLIW processor can process and store data received from the FIFO buffer (105 of fig 1).

With respect to claim 8, Koide teaches a camera, (CCD image sensor 102 of fig 1)

of fig 1) which comprises a housing (mage sensing unit 11 of fig 1); an image sensor

(102 of fig 1) positioned on the housing for sensing a viewed image and generating pixel

data representing the image (image sensing unit 11, for sensing viewed image and

generate a pixel data representing the image); an optical reader (lens unit 101)

positioned on the housing (housing 11 of fig 1); a feed mechanism (computer 12 of fig 1,

input a processing element, could be such as processing parameters, luminance and

color difference signal) for feeding a planar element on which a printed, two-dimensional

pattern having a certain resolution is carried, to the reader, (scanner 11 of fig 1) the

reader having a sensor (CCD sensor 102 of fig 1) with a resolution capacity of at least

twice the resolution of the two-dimensional pattern and being configured to generate

program data represented by the two-dimensional pattern in an external format, the

data itself representing an image processing program col.9, lines 42-47);

a reader interface (interface I/f 109 of fig 1) that is connected to the reader

(scanner 11 of fig 1) to receive the program data from the reader, the reader interface

being configured to transform the program data to an internal forma (computer 12 of fig

1) suitable for processing (computer 12, connected to scanner 11, via interface 111, for

further processing of image data inputted from image sensing unit 11 of fig 1); and

a processor (12 of fig 1) that is connected to both the reader (scanner unit 11 of

fig 1) and the reader interface (interface 109 of fig 1) to control operation of the reader

and the reader interface and to apply the image-processing program to the stored

image to generate an output image with desired effects (col.9, lines 42-47).

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Negussie Worku

08/03/07

AUNG S. MOE
SUPERVISORY PATENT EXAMINER

8/3/07